



## TOWN OF KNIGHTDALE

950 Steeple Square Court  
Knightdale, NC 27545  
KnightdaleNC.gov

### ORDINANCE #19-11-20-001

#### AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE TO ADD JOINT PUBLIC HEARINGS AND ADMINISTRATOR MODIFICATIONS

**WHEREAS**, the Town of Knightdale has initiated a text amendment to amend Chapter 14 “Administrative Agencies and Boards” to add joint public hearings and clarify the responsibilities of the Land Use Review Board and Chapter 15 “Development Process” to change the modification of applications at the public hearing, add administrator modifications of dimensional standards, and add joint public hearings to legislative procedures; and

**WHEREAS**, the petition also includes the amendment of other remaining chapters of the Unified Development Ordinance that may be affected by the proposed amendments, such as updating code section references and locations, the use matrix, the ordinance table of contents and index, as well as adding/amending definitions in Chapter 19 for consistency; and

**WHEREAS**, the Town of Knightdale Unified Development Ordinance Section 15.6(B) establishes uniform procedures for amending the text of the Ordinance; and

**WHEREAS**, the zoning text amendment is consistent with the adopted comprehensive plan. The amendment is consistent with the guiding principle of providing high quality community facilities and services; and

**WHEREAS**, It is further reasonable and in the public interest as it embraces an approach to open governance that includes creative outreach and effectively solicits community involvement, collaborative partnerships, and resource sharing;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Knightdale, North Carolina:

**SECTION 1.** That Chapter 14 of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

#### **14.1 Boards and Committees**

The authority to establish various boards and committees is found throughout Chapter 160A of the General Statutes, including N.C.G.S. 160A §§ 19, 361, 387, 388 and 456(c).

The Town has established the following boards and standing committees which shall follow the rules of procedure as adopted by the respective board or committee:

- Land Use Review Board (LURB)
- Development Review Committee (DRC)

A. **Land Use Review Board (LURB):** For the purposes of this Ordinance, the LURB shall serve as the Town's Planning Board, the Community Appearance Commission and the Tree Board. Furthermore, a portion of the LURB membership shall serve as the Board of Adjustment for cases identified in Section 14.3.

1. **Appointment and Terms**

- a. **Number:** There shall be a LURB consisting of nine (9) members.
  - i. **Town Members:** Six (6) members, appointed by the Town Council, shall reside within the corporate limits. Three (3) of the Town Council appointees shall also be named as quasi-judicial voting members of the Board of Adjustment.
  - ii. **ETJ Members:** Three (3) members appointed by the Wake County Board of Commissioners, shall reside within the Town's extra-territorial jurisdiction. Two (2) of the Wake County Board of Commissioners appointees shall also be named as quasi-judicial voting members of the Board of Adjustment. If despite good faith efforts, enough residents of the ETJ cannot be found to fill the seats reserved for residents of such area, then the Wake County Board of Commissioners may appoint other residents of the county (including residents of the Town) to fill these seats. If the Wake County Board of Commissioners fails to make these appointments within 90 days after receiving a resolution from the Town Council requesting that they be made, the Town Council may make them.
- b. **Board of Adjustment Alternates:** The remaining four (4) LURB members not named as quasi-judicial voting members of the Board of Adjustment in subsections 1(a)(i) and 1(a)(ii) above shall serve as voting alternates. When not filling in as an alternate for absent or excused named voting members of the Board of Adjustment, the remaining LURB members may participate in the quasi-judicial deliberations and fact finding efforts; however, they may not vote.
- c. **Citizen Planning Academy:** Prior to being seated with full voting rights, newly appointed members shall be required to attend and complete the Town's Citizen Planning Academy or its training equivalent. The Academy is a function of the Town's Planning Department and is also open to the general public. It shall be offered at least once each year to ensure that any LURB appointee will have the opportunity to take the class prior to attending their first LURB meeting.

- d. **Staggered Terms:** LURB members shall be appointed for two-year (2 year) staggered terms. Members shall continue to serve until their successors have been appointed.
- e. **Term Limits:** No person, either appointed or re-appointed by the Town Council, may serve more than three (3) consecutive full terms on LURB. A person who has served three (3) consecutive full terms shall be eligible for re-appointment after a lapse in service of at least 12 months.
- f. **Attendance:** In-town members of the LURB may be removed by the Town Council at any time for failure to attend three (3) consecutive meetings or for failure to attend 75 percent (75%) or more of the meetings within any 12-month period or for any other good cause related to performance of duties. ETJ members who fail to attend three (3) consecutive meetings or who fail to attend 75 percent (75%) or more of the meetings within any 12-month period or for any other good cause related to performance of duties shall be recommended for removal to the Wake County Board of Commissioners.
- g. **Relocation:** If a town member moves outside the town, or if an ETJ member moves outside the extra-territorial planning jurisdiction, that shall constitute a resignation from the board.

## 2. **Officers**

- a. **Elections and Terms:** At the first regularly scheduled meeting following the annual appointment of members, the LURB shall select from among its members a Chair and Vice-Chair. These officers shall serve for a period of not more than two (2) consecutive 1-year terms in the same capacity.
- b. **Responsibilities and Duties:** The Chair shall preside over the LURB as a non-voting member (except in the case of breaking a tie), decide all points of order or procedure using the latest edition of "*Robert's Rules of Order*", and transmit reports and recommendations of LURB to the Town Council. The Vice-Chair shall assume the duties of the Chair in his/her absence. The Chair and Vice-Chair may take part in all deliberations during the legislative segment.
- c. **Board Clerk Assigned:** The clerk to the LURB shall be a Town staff member assigned by the Administrator.

## 3. **Meetings**

- a. **Schedule:** The LURB shall establish a regular meeting schedule and shall meet frequently enough, at least monthly if necessary, so as to take action as expeditiously as possible on the items of business.
- b. **Open Meetings:** All LURB meetings shall be open to the public, and whenever feasible, the agenda for each meeting shall be made available in advance of the meeting

- c. **Rules of Procedure:** All meetings shall be conducted using the latest edition of "*Robert's Rules of Order*". The LURB may adopt rules of procedure governing its quasi-judicial procedures and operations not inconsistent with the provisions of this Ordinance.
- d. **Board of Adjustment Items:** The meetings of the LURB shall include a segment dedicated to the Board of Adjustment, including but not limited to final quasi-judicial decisions on appeals, variances, interpretations and other items as required by this Ordinance. This portion of the meeting shall precede legislative action items on the LURB's agenda. A separate record of minutes and attendance shall be kept of all segments of LURB meetings dedicated to the Board of Adjustment.
- e. **Joint Public Hearings:** The LURB will participate in joint public hearings for legislative cases that occur during regularly schedule meetings of the Town Council.

#### 4. **Responsibilities and Duties**

- a. **Board of Adjustment:** See Section 14.3
- b. **Planning Board:** Subject to authorization, referral or budget appropriation by the Town Council the LURB shall have the following legislative responsibilities and duties related to planning and zoning:
  - i. To develop plans and prepare studies for the orderly growth and development of the Town of Knightdale and its environs. Such plans shall set forth goals, objectives and policies designed to manage the quantity, type, cost, location, timing and quality of development and redevelopment in the Knightdale community;
  - ii. To seek to coordinate the activities of individuals and public or private agencies and organizations whose plans, activities and programs bear on the general development of the community;
  - iii. To formulate and recommend to the Town Council the adoption or amendment of ordinances that, in the opinion of the LURB will serve to promote the orderly development of the community in accordance with the Comprehensive Plan;
  - iv. To participate in public meetings and hearings, giving reasonable notice to the public thereof;
  - v. To review and make recommendations to the Town Council on proposed amendments to the zoning map, UDO, or Comprehensive Plan.
  - vi. To exercise such other powers and to perform such other duties as are authorized or required elsewhere in this Ordinance, the N.C.G.S., or by the Town Council;

- vii. To review and make recommendations to the Town Council on proposed applications for Conditional Districts, and Vested Rights.

**SECTION 2.** That Chapter 15.3(E) of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

**E. Modification of Application at Hearing**

In response to questions or comments from persons appearing at the hearing or to questions or comments from the Town Council or LURB, the applicant may offer to modify the application, including the submitted plans and specifications. If an applicant wishes to make application amendments based on questions or comments at the hearing, the applicant shall request a continuation of the public hearing for no less than 60 days and no more than 120 days to make said amendments. Multiple continuations shall be avoided to the greatest extent possible. Minor modifications that are not substantial or extensive and that the Town Council may reasonably be expected to perceive the nature and impact of the modifications without having revised plans submitted may be approved at the Hearing subject to a condition that the permit shall not be issued until plans reflecting the agreed upon modifications are submitted to the Administrator.

**SECTION 3.** That Chapter 15.4(B) of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

**B. Modification of Dimensional Standards**

1. The administrator is authorized to approve requests that deviate from required setbacks set forth in this Ordinance by up to ten (10) percent of the required setbacks or 24 inches, whichever is greater, upon determination that one or more of the following conditions exists:
  - a. There are site or structural conditions that preclude strict adherence to the setback requirements, including but not limited to: the lot does not meet the dimensional standards established for the zoning district in which it is located; the lot has topographic limitations that require placement of the structure into the required setback area; or the structures is physically in line with an existing, legally established wall or walls of a principle structure already within the minimum setback area.
  - b. The part of the proposed structure that encroaches into the minimum setback area is necessitated by a life-safety Ordinance, flood hazard reduction, Americans with Disabilities Act standard or other public safety Ordinance requirements.
  - c. The proposed structure will allow the preservation of significant existing vegetation.

- d. A good faith error was made in the location of a building foundation due to either construction or survey error.
2. The authority given to the Administrator to grant such modification shall be construed to be permissive and not mandatory, and the Administrator may decline to make such modification. In the event this occurs, the applicant shall have the right to submit an application to the Land Use Review Board to grant a variance to these requirements.
3. Nothing in this section shall be construed as limiting the Administrators' duties and rights under this Chapter, or an applicant's right to appeal the decision of the Administrator to the Land Use Review Board.

**SECTION 4.** That Chapter 15.6 of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

### **15.6 Legislative Procedures**

This Section establishes uniform procedures for processing matters requiring a legislative approval process before the Town Council.

#### **A. General Provisions**

1. **Joint Public Hearing:** For legislative procedures outlined in this section a joint public hearing of the Town Council and LURB shall be held. During the joint public hearing the Town Council and LURB will hear public comment on the matter.
2. **Town Council Decision:** Once the public hearing has been conducted, the Town Council shall refer the matter to the LURB for a recommendation. If no comments have been received from the LURB within 30 days of referral from the Town Council, the Council may proceed with consideration of the proposal and render a decision.
3. **Compliance with Comprehensive Plan:** Zoning text and map amendments shall be made in accordance with a comprehensive plan. The LURB shall have advised and commented on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The LURB shall have provided a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the LURB, but a comment by the LURB that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Town Council. Prior to adopting or rejecting any zoning amendment, the Town Council shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Town Council considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.
3. **Re-hearing**

- a. **Applicability:** An application for a re-hearing shall be made in the same manner as provided for an original hearing within a period of 15 days after the date of the Town Council decision. In addition, specific information to enable the Town Council to determine whether or not there has been a substantial change in facts, evidence or conditions in the case, shall be presented in writing or graphically.
  - b. **Procedure:** A re-hearing shall be denied by the Town Council if, in its judgment, such change in facts, evidence or conditions have not been proven. A public hearing shall not be required to be held by the Town Council to consider holding such a re-hearing. Approval of said consideration shall, however, require an affirmative vote of at least four-fifths (4/5) of the voting members. In the event that the Town Council finds that a re-hearing is warranted, it shall then proceed as in the original hearing except that the application fee shall be waived.
4. **Effect of Denial/Time to Resubmit:** Upon the denial of an original application, or upon the denial of an application from which a re-hearing has been conducted, a similar application may not be filed for a period of one (1) year after the date of denial of the original application.
5. **Appeals:** Every legislative decision of the Town Council shall be subject to review by the Superior Court Division of the General Courts of Justice of the State of North Carolina by proceedings in the nature of certiorari. Any petition for review by the Superior Court shall be duly verified and filed with the Clerk of Superior Court within 30 days after the decision of the Council is filed in the office of the Town Clerk, or after a written copy is delivered to every aggrieved party who has filed a written request for such copy with the Administrator at the time of the hearing of the case by the Town Council, whichever is later.
6. **Application Withdrawal:** The applicant may withdraw a legislative application by providing written notice to the Administrator in accordance with the following:
- a. The petitioner may withdraw his/her application before submission of the public notice to the newspaper announcing the public hearing.
  - b. After submission of such notice, an application may be withdrawn at the discretion of the Town Council at the public hearing.
  - c. No more than two (2) withdrawals may occur on the same parcel or portion of land within a one (1) year period.
  - d. No application shall be filed on the same parcel or portion of land within a one (1) year period after the date of the second withdrawal.

**B. Zoning Text Amendment**

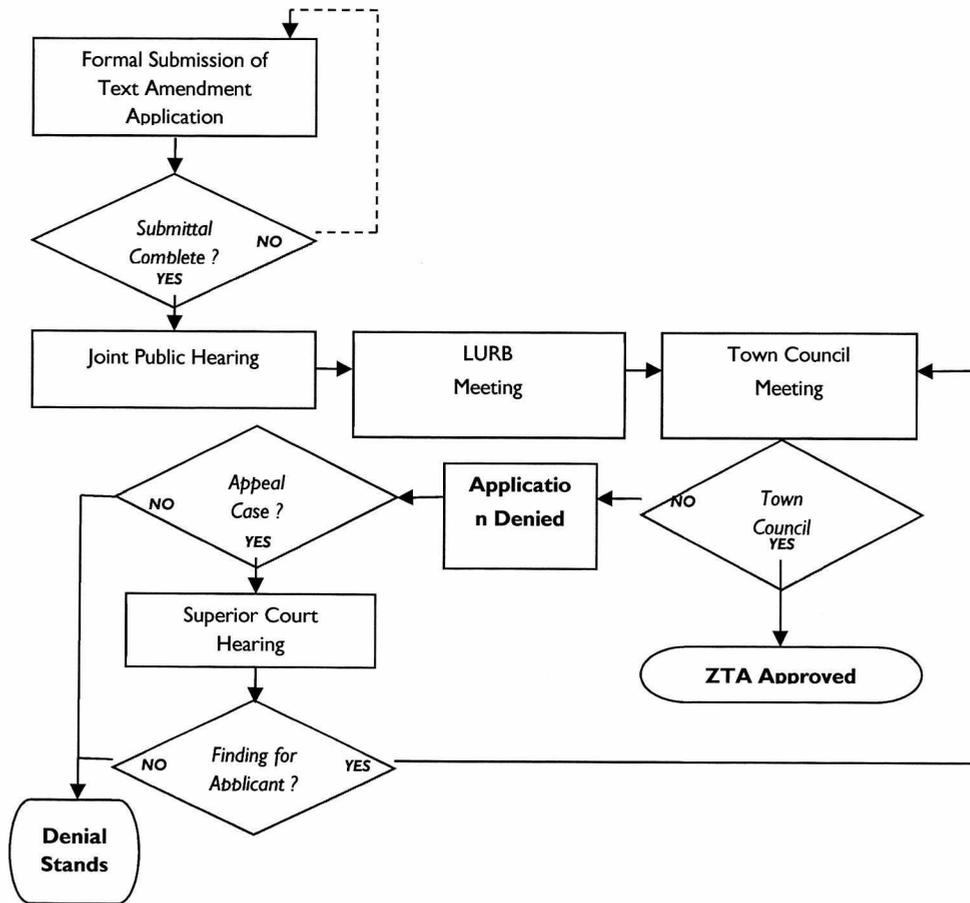
- 1. **Applicability:** A zoning text amendment (ZTA) may be initiated by the Town Council, the LURB, the Administrator or any private citizen by filing an application with the Administrator.
- 2. **Citizen Comments:** In addition to comments provided in person at public hearings and public meetings, any resident or property owner in the town may submit a written statement regarding a proposed amendment, modification, or

repeal to a zoning ordinance to the clerk to the board at least two (2) business days prior to proposed vote. If submitted according to the preceding condition, the Town Clerk shall submit said written statements to the Town Council, prior to such hearing.

3. **Decision:** A decision concerning the petition to amend the text of this Ordinance shall be as follows:
- a. Adoption of the amendment as written; or
  - b. Adoption of the amendment as revised by the Administrator, LURB or Town Council; or
  - c. Rejection of the amendment.

4. **Procedure:**

SUBMITTAL REQUIREMENTS	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Text Amendment Application	Administrator	Review for Completeness & Ordinance Compliance. Issue Staff Report	n/a
	Town Council	Joint Public Hearing Refer to LURB	n/a
	LURB	Review and Recommendation	n/a
	Town Council	ZTA Approved – <b>or</b> – Denied	Superior Court

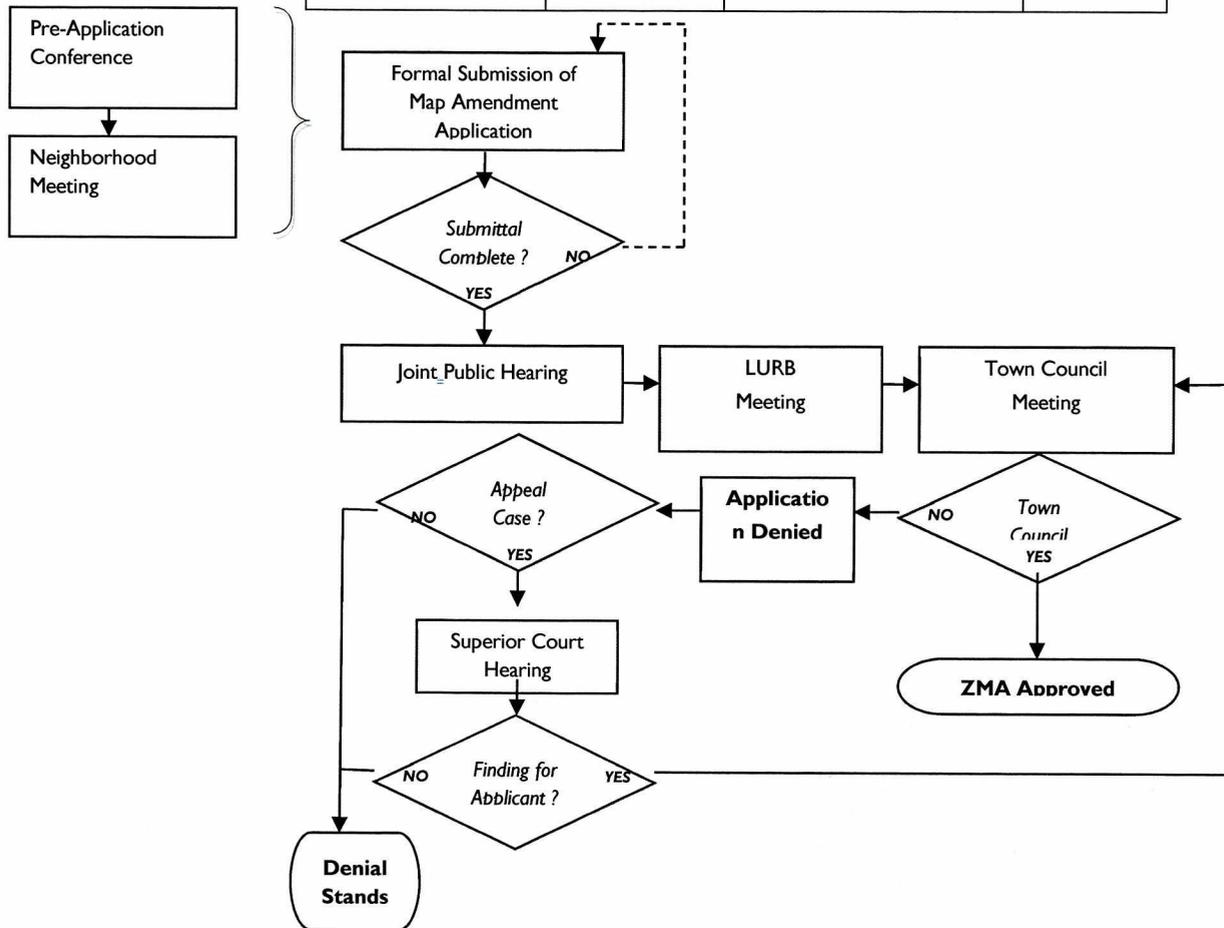


### C. Zoning Map Amendments (Re-zonings)

1. **Applicability:** An amendment to the Official Zoning Map, or “Zoning Map Amendment” (ZMA) may be initiated by the Town Council, the LURB, the Administrator or any private citizen by filing an application with the Administrator.
2. **Neighborhood Meetings:** A pre-submittal neighborhood meeting is required for all applications for a Zoning Map Amendment as outlined in 15.3(C).
3. **Citizen Comments:** In addition to comments provided in person at public hearings and public meetings, any resident or property owner in the town may submit a written statement regarding a proposed amendment, modification, or repeal to a zoning ordinance to the clerk to the board at least two (2) business days prior to the proposed vote. If submitted according to the preceding condition, the Town Clerk shall submit said written statements to the Town Council, prior to the hearing. If the proposed change is the subject of a quasi-judicial proceeding the clerk shall provide only the names and addresses of the individuals providing written comment.
4. **General Re-zoning**
  - a. **Decision:** A decision concerning a petition for re-zoning shall be as follows:
    - i. Grant the re-zoning as requested; or,
    - ii. Grant the re-zoning with a reduction in the area requested; or,
    - iii. Grant the re-zoning to a more restrictive general zoning district; or,
    - iv. Grant the re-zoning with a combination of “ii” and “iii” above; or,
    - v. Deny the application.

b. Procedure:

SUBMITTAL REQUIREMENTS	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Map Amendment Application	Administrator	Review for Completeness & Ordinance Compliance. Issue Staff Report	n/a
	Town Council	Joint Public Hearing Refer to LURB	n/a
	LURB	Review and Recommendation	n/a
	Town Council	ZMA Approved – or – Denied	Superior Court



**5. Conditional District Re-zoning:** The Conditional District (ZMA-CD) re-zoning process provides a procedure for the re-zoning of property based upon the recognition that certain types of zoning districts would be inappropriate at particular locations in the absence of special conditions. This process affords a degree of certainty in land use decisions not possible when re-zoning to a general category allowing many different uses.

**a. Specific Requirements:**

- i. Applicant:** Conditional District classification shall only be considered upon the request of the owners and/or their representatives of all the property to be included.
- ii. Standards of Corresponding General District to be Met:** All standards and requirements of the corresponding General District shall be met, except to the extent that the conditions imposed are more restrictive than those standards. However, when a Conditional District is a requirement of Section 2.3(C), petitioners may also ask that certain standards identified be decreased. Within an approved Conditional District, no use shall be permitted except pursuant to the conditions imposed on the Conditional District in the approval of the re-zoning.
- iii. Content of Application:** The Master Plan, as a site specific Conditional Zoning Plan, is itself a condition of the ZMA-CD. In addition to the Master Plan, the applicant shall provide the exact land use classifications proposed for the Conditional District. Such use classifications may be selected from any of the uses, whether permitted by right or special use, allowed in the General District upon which the Conditional District is based. Uses not otherwise permitted within the General District shall not be permitted within the Conditional District.
- iv. Fair and Reasonable Conditions:** At the request of the applicant, the LURB may recommend and the Town Council may attach reasonable and appropriate conditions including but not limited to the location, nature, hours of operation and extent of the proposed use. The applicant will have a reasonable opportunity to consider and agree to any additional requirements proposed by either the LURB or the Town Council prior to final action.

**b. Substantial Changes:** Any substantial change to a Master Plan that results in a net increase to the number of lots or to the heated floor area shall be reviewed by the LURB and approved or denied by the Town Council as an amended Conditional District.

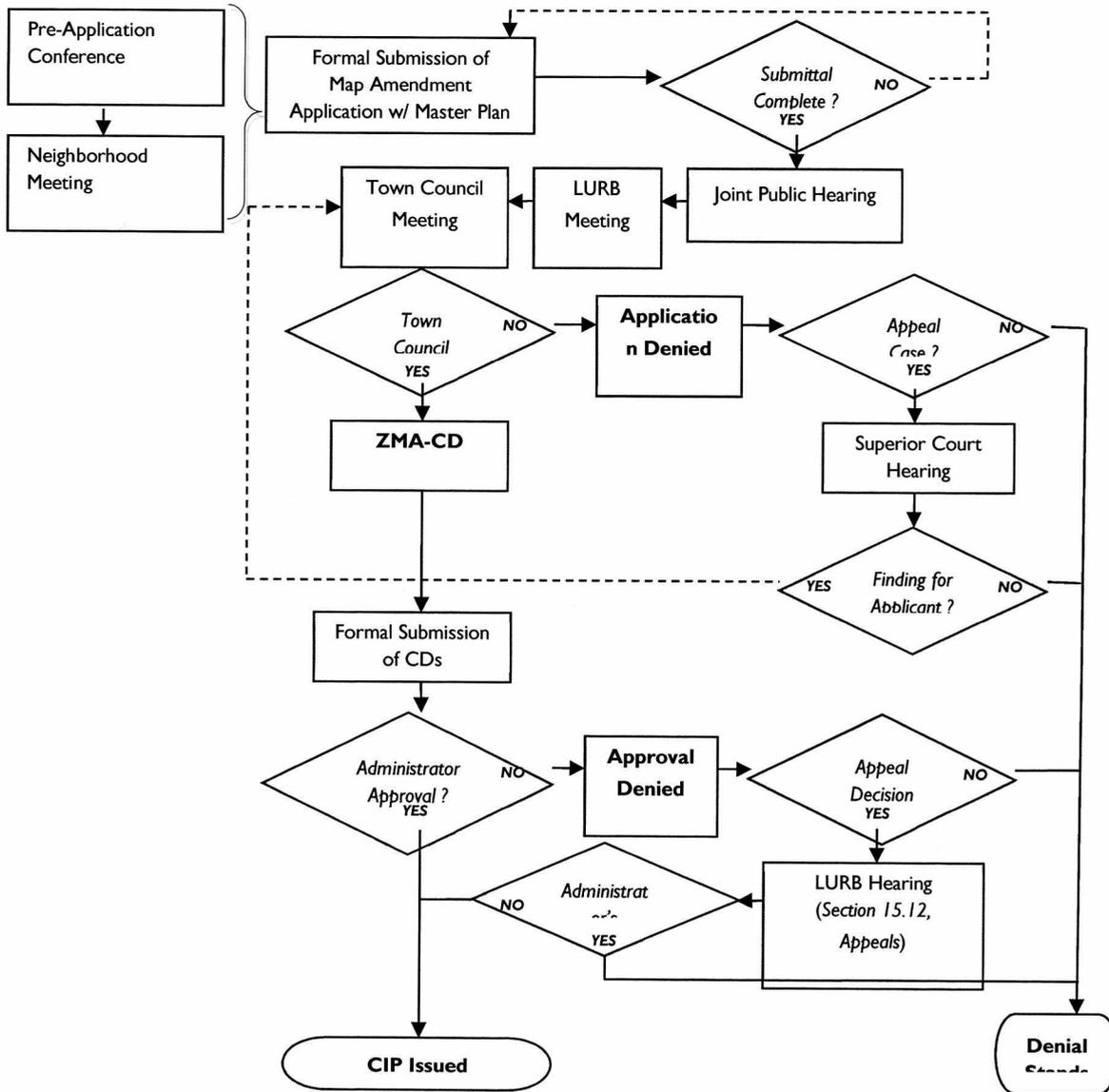
**c. Time Limit on Approval:** The Applicant must secure a valid building or construction permit(s) within a 24-month period from date of approval of the ZMA-CD unless otherwise specified.

**d. Rescission of Conditional Districts:** If such project is not complete and a valid building or construction permit is not in place at the end of the 24-month period, the Administrator shall notify the applicant of either such

finding. Within 60 days of notification, the Administrator shall make a recommendation concerning the rescission of the ZMA-CD to the Town Council. The Town Council may then rescind the ZMA-CD or extend the life of the ZMA-CD for a specified period of time.

e. **Procedure:**

<b>SUBMITTAL REQUIREMENTS</b>	<b>REVIEWING AUTHORITY</b>	<b>ACTION TO BE TAKEN</b>	<b>APPEAL PROCESS</b>
Sketch Plan (16.4) w/ Environmental Survey (16.2A)	Administrator	For Non-Binding Review Only	n/a
Map Amendment Application w/Master Plan (16.6)	Administrator	Review for Completeness & Ordinance Compliance. Issue Staff Report	n/a
	Town Council	Joint Public Hearing Refer to LURB	n/a
	LURB	Review and Recommendation	n/a
	Town Council	ZMA-CD Approved - <b>or</b> - Denied	Superior Court
Construction Documents (16.7) w/Environmental Survey (16.2B)	Administrator	Review for Completeness & Ordinance Compliance; CIP Issued - <b>or</b> - Denied	LURB



#### D. Vested Rights

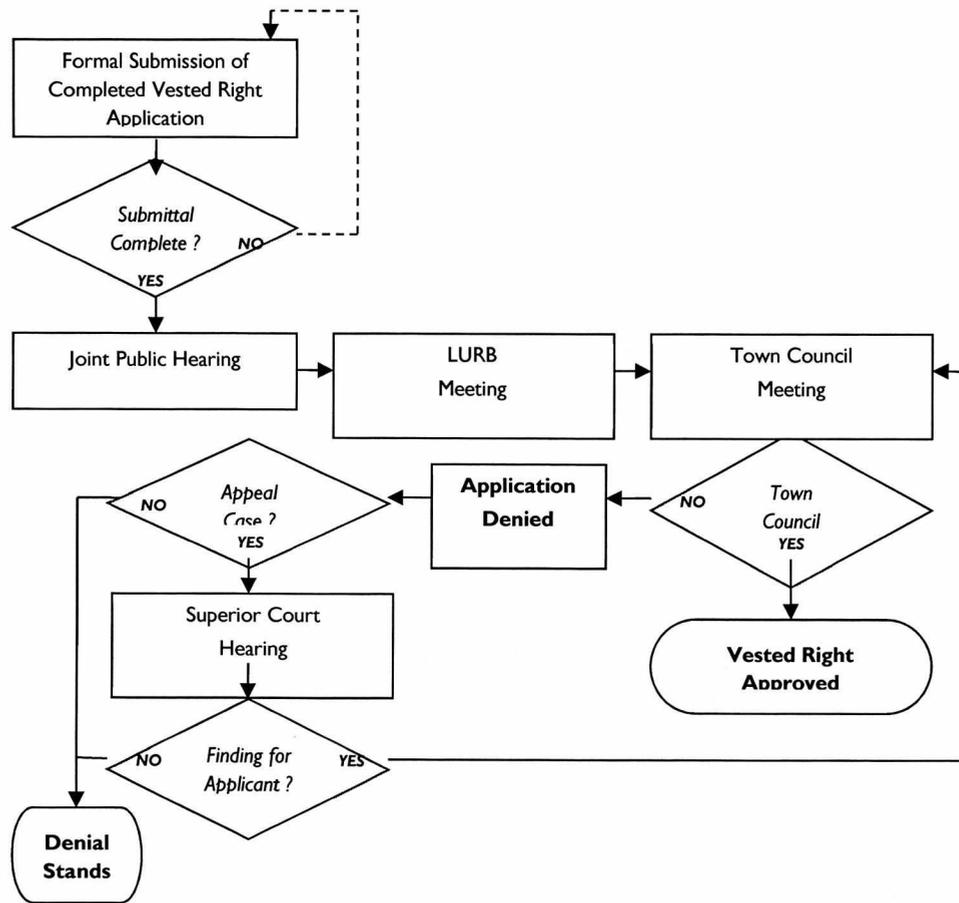
1. **Applicability:** Pursuant to G.S.160A-385.1 and notwithstanding any other provision or amendment, a landowner may apply for approval of a Site-Specific Development Plan (*Master Plan*) as defined in the statute that shall entitle said landowner to develop property over a period beyond the original two (2) year approval duration in accordance with the previously approved plan . All requests for Vested Rights shall be accompanied by a copy of the approved Site-Specific Development Plan (*Master Plan*) in accordance with the provisions of this Chapter.
2. **Board Powers and Responsibilities:** A request to extend Vested Rights to a previously approved Site-Specific Development Plan (*Master Plan*) shall be reviewed and approved by the Town Council after notice and public hearing.
  - a. **Decision:** The Town Council shall determine whether or not to grant or establish a Vested Right after the review and consideration of the LURB. The Town Council may not require the landowner to waive his Vested Right as a condition of development approval.
  - b. **Required Determinations:** The Town Council may approve the Vested Right for a period greater than two (2) years where it is determined that due to (i) the sizing and phasing of the development; (ii) the level of investment; (iii) the need for the development; (iv) economic cycles; or (v) due to market conditions, building permits for all phases of the development cannot be secured within the initial two (2) year approval duration period.
  - c. **Time Limit on Vested Right:** The maximum vesting term that may be granted by the Town Council may not exceed five (5) years from the date of original Master Plan approval.
3. **Effect of Approval of Vesting:** A Vested Right shall confer upon the landowner the right to undertake and complete the development and use of said property under the terms and conditions of the approved Site-Specific Development Plan (*Master Plan*). The establishment of a Vested Right on a piece of property for a Site-Specific Development Plan shall not preclude the Town from establishing and enforcing on the property any additional regulations (*adopted during the time the Vested Right was in effect*) which are general in nature and applicable to all property subject to the regulations of this Ordinance. A Vested Right, once established shall preclude any zoning action by the Town which would change, alter, impair, prevent, diminish or otherwise delay the development or use of the property in accordance with the approved Site-Specific Development Plan (*Master Plan*), except under the conditions in subsection "5" below where such rights are terminated and revoked.
4. **Establishment of Common Law Vesting Plans:** Previously approved Site-Specific Development Plans (*Master Plans*) shall be reviewed for compliance and consistency and subsequently approved by the Administrator or designee in accordance with the provisions of this Chapter, providing the proposed CDs for the SDA or Subdivision do not deviate from, and is subdivided/developed in accordance with the previously approved Site-Specific Development Plan

(*Master Plan*). Substantial financial investment must be determined and a good faith effort made to develop proportionate to the approved statutory vested plan.

- 5. Revocation of Vested Rights:** Once a Vested Right is granted to a particular Master Plan, nothing in this Section shall preclude the Town from conducting subsequent reviews and approvals to ensure compliance with the terms and conditions of the original approval, provided such reviews and approvals are consistent with the original approval. Failure to abide by the terms and conditions placed upon such approval or with any other applicable portion of this Ordinance will result in the forfeiture of the previously granted or established Vested Right. As prescribed under the provisions of G.S. 160A-385.1, the Vested Right shall otherwise expire at the end of the approval period established by the Town Council. A building permit issued by the permit-issuing authority pursuant to G.S. 160A-417 may not expire or be revoked because of the running of time on a piece of property while a plan has been approved and the Vested Right period has not otherwise expired. As noted in subsection "3" above, the presence of any of the following conditions shall cause such vested rights to be terminated and revoked:
- a. The affected landowner provides written consent to the Town of his/her desire to terminate the Vested Right;
  - b. The Town determines, after having advertised and held a public hearing, that natural or man-made hazards exist on or in the immediate vicinity of the property which pose a serious threat to the public health, safety and welfare if the project were to proceed as indicated in the plan;
  - c. Compensation is made by the Town to the landowner for all costs, expenses and other losses incurred, including but not limited to: all fees paid in consideration of financing; and all architectural, planning, marketing, legal and any other consultant's fees incurred after approval together with interest thereon at the legal rate until paid;
  - d. The Town determines, after having advertised and held a public hearing, that the landowner or his representative intentionally supplied inaccurate information or made material misrepresentations which made a difference in the approval by the Town Council of the plan; or
  - e. Upon the enactment of a State or Federal law or regulations which precludes development as shown in plan. In such case the Town may, after having advertised and conducted a public hearing, modify the affected provisions upon a finding that this change in State or Federal law has a fundamental effect on the plan.

6. Procedure:

SUBMITTAL REQUIREMENTS	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Vested Right Application w/Master Plan (16.6)	Administrator	Review for Completeness & Ordinance Compliance; Issue Staff Report	n/a
	Town Council	Joint Public Hearing	n/a
	LURB	Review and Recommendation	n/a
	Town Council	Vested Right Approved - or - Denied	Superior Court



**SECTION 5.** That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

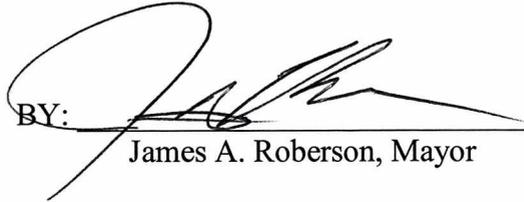
**SECTION 6.** That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

**SECTION 7.** That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

**SECTION 8.** That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

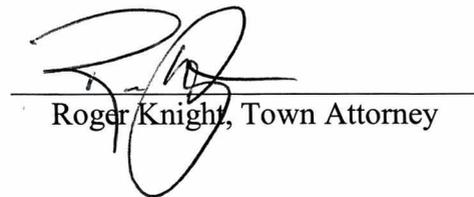
**SECTION 9.** That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 20<sup>th</sup> day of November, 2019

BY:   
James A. Roberson, Mayor

ATTEST:   
Heather M. Smith, Town Clerk

APPROVED AS TO FORM:

  
Roger Knight, Town Attorney